

SB197_L.005

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

SB13-197 be amended as follows:

1 Amend printed bill, page 7, after line 7, insert:

2 "(f) IF A LOCAL LAW ENFORCEMENT AGENCY ELECTS TO STORE
3 FIREARMS OR AMMUNITION FOR PERSONS PURSUANT TO THIS SUBSECTION
4 (22), THE LAW ENFORCEMENT AGENCY MAY DISPOSE OF THE FIREARMS OR
5 AMMUNITION NINETY DAYS AFTER THE LATER OF:

6 (I) THE DATE UPON WHICH THE PERSON IS NO LONGER PROHIBITED
7 FROM POSSESSING FIREARMS; OR

8 (II) THE LAST DAY FOR WHICH THE RESPONDENT CONTRACTED
9 WITH THE LAW ENFORCEMENT AGENCY FOR THE STORAGE OF THE FIREARM
10 OR AMMUNITION."

11 Reletter subsequent paragraphs accordingly.

12 Page 7, line 23, strike "(f)" and substitute "(g)".

13 Page 8, line 2, strike "(g):" and substitute "(h):".

14 Page 10, after line 26, insert:

15 "(f) IF A LOCAL LAW ENFORCEMENT AGENCY ELECTS TO STORE
16 FIREARMS OR AMMUNITION FOR PERSONS PURSUANT TO THIS SUBSECTION
17 (9), THE LAW ENFORCEMENT AGENCY MAY DISPOSE OF THE FIREARMS OR
18 AMMUNITION NINETY DAYS AFTER THE LATER OF:

19 (I) THE DATE UPON WHICH THE PERSON IS NO LONGER PROHIBITED
20 FROM POSSESSING FIREARMS; OR

21 (II) THE LAST DAY FOR WHICH THE RESPONDENT CONTRACTED
22 WITH THE LAW ENFORCEMENT AGENCY FOR THE STORAGE OF THE FIREARM
23 OR AMMUNITION."

24 Reletter subsequent paragraphs accordingly.

25 Page 11, line 15, strike "(f)" and substitute "(g)".

26 Page 11, line 21, strike "(g):" and substitute "(h):".

27 Page 14, line 12, after "RELINQUISHMENT." add "THE FEDERALLY
28 LICENSED FIREARMS DEALER SHALL NOT RETURN THE FIREARM OR



1 AMMUNITION TO THE RESPONDENT UNLESS THE RESPONDENT PRESENTS TO
2 THE DEALER A WRITTEN STATEMENT FROM A COURT OF LAW INDICATING
3 THAT:

4 (I) THE RESPONDENT IS NO LONGER SUBJECT TO A PROTECTION
5 ORDER PROHIBITING THE RESPONDENT FROM POSSESSING FIREARMS OR
6 AMMUNITION;

7 (II) THE CONVICTION THAT WAS THE BASIS FOR THE RESPONDENT
8 BEING PROHIBITED FROM POSSESSING FIREARMS OR AMMUNITION HAS
9 BEEN OVERTURNED; OR

10 (III) THE RESPONDENT HAS HAD HIS OR HER RIGHT TO POSSESS A
11 FIREARM OR AMMUNITION RESTORED THROUGH A JUDICIAL PROCESS."

12 Page 14, after line 23, insert:

13 "(f) IF A LOCAL LAW ENFORCEMENT AGENCY ELECTS TO STORE
14 FIREARMS OR AMMUNITION FOR PERSONS PURSUANT TO THIS SUBSECTION
15 (8), THE LAW ENFORCEMENT AGENCY SHALL NOT RETURN THE FIREARM OR
16 AMMUNITION TO THE RESPONDENT UNLESS THE RESPONDENT PRESENTS TO
17 THE LAW ENFORCEMENT AGENCY A WRITTEN STATEMENT FROM A COURT
18 OF LAW INDICATING THAT:

19 (I) THE RESPONDENT IS NO LONGER SUBJECT TO A PROTECTION
20 ORDER PROHIBITING THE RESPONDENT FROM POSSESSING FIREARMS OR
21 AMMUNITION;

22 (II) THE CONVICTION THAT WAS THE BASIS FOR THE RESPONDENT
23 BEING PROHIBITED FROM POSSESSING FIREARMS OR AMMUNITION HAS
24 BEEN OVERTURNED; OR

25 (III) THE RESPONDENT HAS HAD HIS OR HER RIGHT TO POSSESS A
26 FIREARM OR AMMUNITION RESTORED THROUGH A JUDICIAL PROCESS."

27 Reletter subsequent paragraphs accordingly.

28 Page 15, line 12, strike "(f)" and substitute "(g)".

29 Page 15, line 18, strike "(g):" and substitute "(h):".

30 Page 19, after line 12, insert:

31 "(f) IF A LOCAL LAW ENFORCEMENT AGENCY ELECTS TO STORE
32 FIREARMS OR AMMUNITION FOR PERSONS PURSUANT TO THIS SUBSECTION
33 (22), THE LAW ENFORCEMENT AGENCY SHALL NOT RETURN THE FIREARM
34 OR AMMUNITION TO THE RESPONDENT UNLESS THE RESPONDENT PRESENTS

1 TO THE LAW ENFORCEMENT AGENCY A WRITTEN STATEMENT FROM A
2 COURT OF LAW INDICATING THAT:

3 (I) THE RESPONDENT IS NO LONGER SUBJECT TO A PROTECTION
4 ORDER PROHIBITING THE RESPONDENT FROM POSSESSING FIREARMS OR
5 AMMUNITION;

6 (II) THE CONVICTION THAT WAS THE BASIS FOR THE RESPONDENT
7 BEING PROHIBITED FROM POSSESSING FIREARMS OR AMMUNITION HAS
8 BEEN OVERTURNED; OR

9 (III) THE RESPONDENT HAS HAD HIS OR HER RIGHT TO POSSESS A
10 FIREARM OR AMMUNITION RESTORED THROUGH A JUDICIAL PROCESS."

11 Reletter subsequent paragraphs accordingly.

12 Page 19, line 27, strike "(f)" and substitute "(g)".

13 Page 20, line 6, strike "(g):" and substitute "(h):".

14 Page 22, after line 27, insert:

15 "(f) IF A LOCAL LAW ENFORCEMENT AGENCY ELECTS TO STORE
16 FIREARMS OR AMMUNITION FOR PERSONS PURSUANT TO THIS SUBSECTION
17 (9), THE LAW ENFORCEMENT AGENCY SHALL NOT RETURN THE FIREARM OR
18 AMMUNITION TO THE RESPONDENT UNLESS THE RESPONDENT PRESENTS TO
19 THE LAW ENFORCEMENT AGENCY A WRITTEN STATEMENT FROM A COURT
20 OF LAW INDICATING THAT:

21 (I) THE RESPONDENT IS NO LONGER SUBJECT TO A PROTECTION
22 ORDER PROHIBITING THE RESPONDENT FROM POSSESSING FIREARMS OR
23 AMMUNITION;

24 (II) THE CONVICTION THAT WAS THE BASIS FOR THE RESPONDENT
25 BEING PROHIBITED FROM POSSESSING FIREARMS OR AMMUNITION HAS
26 BEEN OVERTURNED; OR

27 (III) THE RESPONDENT HAS HAD HIS OR HER RIGHT TO POSSESS A
28 FIREARM OR AMMUNITION RESTORED THROUGH A JUDICIAL PROCESS."

29 Reletter subsequent paragraphs accordingly.

30 Page 23, line 15, strike "(f)" and substitute "(g)".

31 Page 23, line 21, strike "(g):" and substitute "(h):".

32 Page 26, after line 20, insert:



1 "(f) IF A LOCAL LAW ENFORCEMENT AGENCY ELECTS TO STORE
2 FIREARMS OR AMMUNITION FOR PERSONS PURSUANT TO THIS SUBSECTION
3 (8), THE LAW ENFORCEMENT AGENCY SHALL NOT RETURN THE FIREARM OR
4 AMMUNITION TO THE RESPONDENT UNLESS THE RESPONDENT PRESENTS TO
5 THE LAW ENFORCEMENT AGENCY A WRITTEN STATEMENT FROM A COURT
6 OF LAW INDICATING THAT:
7 (I) THE RESPONDENT IS NO LONGER SUBJECT TO A PROTECTION
8 ORDER PROHIBITING THE RESPONDENT FROM POSSESSING FIREARMS OR
9 AMMUNITION;
10 (II) THE CONVICTION THAT WAS THE BASIS FOR THE RESPONDENT
11 BEING PROHIBITED FROM POSSESSING FIREARMS OR AMMUNITION HAS
12 BEEN OVERTURNED; OR
13 (III) THE RESPONDENT HAS HAD HIS OR HER RIGHT TO POSSESS A
14 FIREARM OR AMMUNITION RESTORED THROUGH A JUDICIAL PROCESS."

15 Reletter subsequent paragraphs accordingly.

16 Page 27, line 8, strike "(f)" and substitute "(g)".

17 Page 27, line 14, strike "(g):" and substitute "(h):".

** *** ** *** **